
By: **Delegates Burns and Vallario**
Introduced and read first time: February 18, 2002
Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Alcohol Restriction - Violation - Penalties**

3 FOR the purpose of altering the penalties for a violation of an alcohol restriction
4 imposed by the Motor Vehicle Administration on a licensee to include
5 imprisonment for a certain period of time; and generally relating to altering the
6 penalties for a violation of an alcohol restriction imposed by the Administration
7 on a licensee.

8 BY repealing and reenacting, without amendments,
9 Article - Transportation
10 Section 16-113(j)
11 Annotated Code of Maryland
12 (1999 Replacement Volume and 2001 Supplement)

13 BY adding to
14 Article - Transportation
15 Section 16-113(k)
16 Annotated Code of Maryland
17 (1999 Replacement Volume and 2001 Supplement)

18 BY repealing and reenacting, with amendments,
19 Article - Transportation
20 Section 27-101(c)
21 Annotated Code of Maryland
22 (1999 Replacement Volume and 2001 Supplement)

23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
24 MARYLAND, That the Laws of Maryland read as follows:

1

Article - Transportation

2 16-113.

3 (j) An individual may not drive or attempt to drive a motor vehicle with
4 alcohol in the individual's blood in violation of a restriction imposed by a court.

5 (K) AN INDIVIDUAL MAY NOT DRIVE OR ATTEMPT TO DRIVE A MOTOR
6 VEHICLE WITH ALCOHOL IN THE INDIVIDUAL'S BLOOD IN VIOLATION OF A
7 RESTRICTION IMPOSED BY THE ADMINISTRATION.

8 27-101.

9 (c) Any person who is convicted of a violation of any of the provisions of the
10 following sections of this article is subject to a fine of not more than \$500 or
11 imprisonment for not more than 2 months or both:

12 (1) § 12-301(c), (d), (e), or (f) ("Special identification cards: Fraud and
13 misrepresentation prohibited");

14 (2) § 14-102 ("Taking or driving vehicle without consent of owner");

15 (3) § 14-104 ("Damaging or tampering with vehicle");

16 (4) § 14-107 ("Removed, falsified, or unauthorized identification number
17 or registration card or plate");

18 (5) § 14-110 ("Altered or forged documents and plates");

19 (6) § 15-312 ("Dealers: Prohibited acts - Vehicle sales transactions");

20 (7) § 15-313 ("Dealers: Prohibited acts - Advertising practices");

21 (8) § 15-314 ("Dealers: Prohibited acts - Violation of licensing laws");

22 (9) § 15-411 ("Vehicle salesmen: Prohibited acts");

23 (10) § 15-502(c) ("Storage of certain vehicles by unlicensed persons
24 prohibited");

25 (11) § 16-113(j) ("Violation of alcohol restriction ordered by a court");

26 (12) § 16-113(K) ("VIOLATION OF ALCOHOL RESTRICTION IMPOSED BY
27 MOTOR VEHICLE ADMINISTRATION");

28 [(12)] (13) § 16-301 ("Unlawful application for or use of license");

29 [(13)] (14) § 16-303(h) ("Licenses suspended under certain provisions of
30 Code");

1 [(14)] (15) § 16-303(i) ("Licenses suspended under certain provisions of the
2 traffic laws or regulations of another state");

3 [(15)] (16) § 18-106 ("Unauthorized use of rented motor vehicle");

4 [(16)] (17) § 20-103 ("Driver to remain at scene - Accidents resulting only
5 in damage to attended vehicle or property");

6 [(17)] (18) § 20-104 ("Duty to give information and render aid");

7 [(18)] (19) § 20-105 ("Duty on striking unattended vehicle or other
8 property");

9 [(19)] (20) § 20-108 ("False reports prohibited");

10 [(20)] (21) § 21-206 ("Interference with traffic control devices or railroad
11 signs and signals");

12 [(21)] (22) As to a pedestrian in a marked crosswalk, § 21-502(a)
13 ("Pedestrians' right-of-way in crosswalks: In general");

14 [(22)] (23) As to another vehicle stopped at a marked crosswalk, §
15 21-502(c) ("Passing of vehicle stopped for pedestrian prohibited");

16 [(23)] (24) Except as provided in subsections (f) and (q) of this section, §
17 21-902(b) ("Driving while impaired by alcohol");

18 [(24)] (25) Except as provided in subsections (f) and (q) of this section, §
19 21-902(c) ("Driving while impaired by drugs or drugs and alcohol");

20 [(25)] (26) Except as provided in subsections (f) and (q) of this section, §
21 21-902(d) ("Driving while impaired by controlled dangerous substance"); or

22 [(26)] (27) § 27-107(d), (e), (f), or (g) ("Prohibited acts - Ignition interlock
23 systems").

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 2002.